

Memorandum



Date: (Second Reading 01-24-06)
December 6, 2005

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 7(F)

From: 
George M. Burgess
County Manager

Subject: Ordinance Amending the Naranja Community Urban Center Zoning District (NCUCD)

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the attached zoning ordinance amending the Naranja Community Urban Center Zoning District (NCUCD).

BACKGROUND

On December 2, 2004, the Board adopted Ordinance Number 04-217 establishing the Naranja Community Urban Center Zoning district (NCUCD). On May 19, 2005 the Board adopted Resolution Z-13-05 effectuating the district boundary change of the Naranja Community Urban Center area to NCUCD. On July 7, 2005 the Board adopted Ordinance Number 05-143 establishing the Standard Urban Center District regulations (Standard) which were designed to streamline all urban center zoning ordinances by codifying all their common regulatory language and provisions.

The proposed ordinance streamlines the existing NCUCD regulations to substitute the applicable provisions of the Standard Regulations for the existing NCUCD regulations. This will permit the NCUCD to operate in the same manner as the other adopted urban centers. In addition, the proposed ordinance updates NCUCD's regulating plans and exempts existing single-family homes that are damaged beyond 50 percent of their value from being required to comply with the district regulations and will permit any damaged existing single-family residence to be reconstructed.

FISCAL IMPACT

The proposed ordinance creates no fiscal impact on Miami-Dade County.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez **DATE:** January 24, 2006
and Members, Board of County Commissioners

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(F)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 7(F)

Veto _____

01-24-06

Override _____

ORDINANCE NO. _____

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE NARANJA COMMUNITY URBAN CENTER ZONING DISTRICT ("NARANJA CUC"); CONFORMING NARANJA CUC TO STANDARD URBAN CENTER DISTRICT REGULATIONS, ARTICLE XXXIII(K), CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), EXCEPT AS SPECIFICALLY PROVIDED HEREIN; REVISING REGULATING PLANS; REVISING NONCONFORMING USE PROVISIONS RELATING TO SINGLE FAMILY HOMES; DELETING AND REPLACING SECTIONS 33-284.67 THROUGH 33-284.74 AND AMENDING SECTION 33-284.76, CODE, PERTAINING TO THE NARANJA CUC; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sections 33-284.67 through 33-284.74 of the Code of Miami-Dade County, Florida, are hereby deleted and replaced as follows:¹

>>Sec. 33-284.67. Naranja Community Urban Center District (NCUC) Requirements.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Except as provided herein, all developments within the NCUC shall comply with the requirements provided in Article XXXIII(K), Standard Urban Center District Regulations, of this code.

Sec. 33-284.68. Uses.

Except as provided herein, all permitted, conditionally permitted, and temporary uses within the NCUC shall comply with Section 33-284.83 of this code.

A. Permitted Uses. In addition to the uses provided in Section 33-284.83(A), the following shall be permitted:

1. On the east side of U.S. 1, Residential Modified (RM) lots abutting designated Mixed Use Corridor (MC) lots on at least one side are allowed to have uses permitted in the MC area for a depth from U.S. 1 not to exceed that of the MC lots.

2. In the Industrial District (ID) area:

a. all uses permitted in the IU-C zoning district after public hearing pursuant to section 33-311(A)(3) of this code.

b. in the Core and Center sub-districts only, on lots fronting on US 1, all uses permitted in Mixed-Use Corridor (MC) at a minimum residential density of 12 dwelling units per acre net to a maximum density of 52 dwelling units per acre net without the use of Severable Use Rights (SUR's) or a maximum density of 60 dwelling units per acre net with the use of SUR's

c. in the Edge and Center sub-districts, except for properties along US 1, automobile service stations when in compliance with the requirements of Section 33-284.83(B) of this code

d. in the Edge and Center sub-districts, except for properties along US 1, drive-through facilities when in compliance with the requirements of Section 33-284.83(B)(3) of this code

3. In the Market District (MD) area:

5

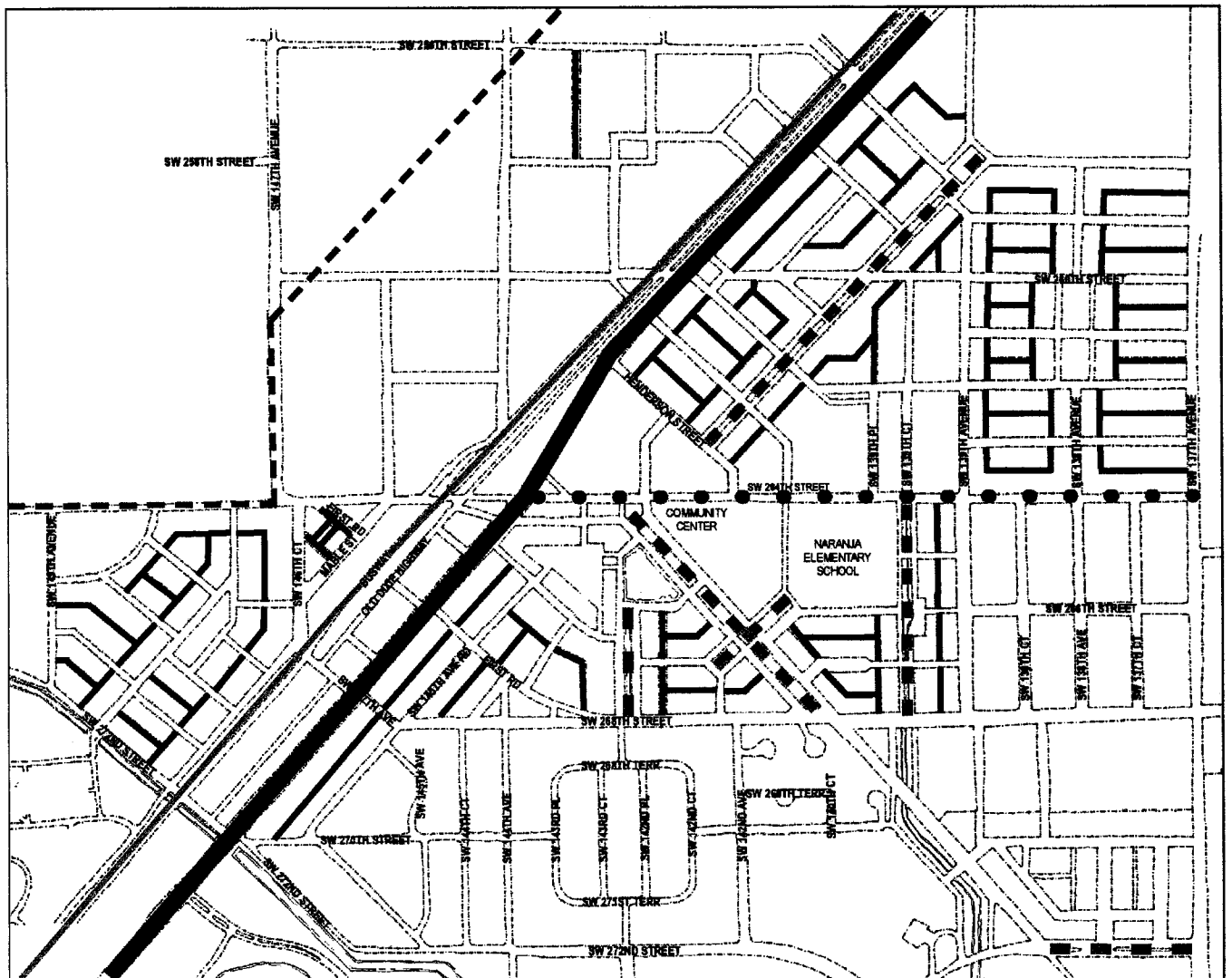
- a. outdoor produce markets, and
- b. all uses permitted in the Mixed-Use Corridor (MC) except for residential.

Sec. 33-284.69. Regulating Plans.









The Regulating Plans consist of the following controlling plans as defined and graphically depicted in this section.

- A. The Street Types Plan establishes a hierarchy of street types in existing and future locations that shall be provided and shown in all development plans. The five (5) Street Types and the hierarchy of streets (from most important to least important in accommodating pedestrian traffic) are U.S. 1, Boulevard, Main Street, Minor Street, and Service Road.
- B. The Sub-districts Plan delineates three (3) sub-districts: the Core, Center and Edge. These sub-districts regulate the allowable intensity of development in accordance with the Comprehensive Development Master Plan and this article.
- C. The Land Use Plan delineates the areas where specified land uses and development of various types and intensities will be permitted.
- D. The Building Heights Plan establishes the minimum and maximum allowable number of floors.
- E. The Designated Open Space Plan designates open spaces, which shall be shown in all development plans. The designated open spaces are controlled by anchor points.
- F. The New Streets Plan shows the location and the number of new streets needed to create the prescribed network of streets within the NCUC District. All new A streets are required in the same general location as shown on the New Streets Plan. All B streets shall be located as provided in section 33-284.86(F) of this code.
- G. The Bike Route Plan depicts the designated bike routes, which shall be shown in all development plans.

A. Street Types Plan

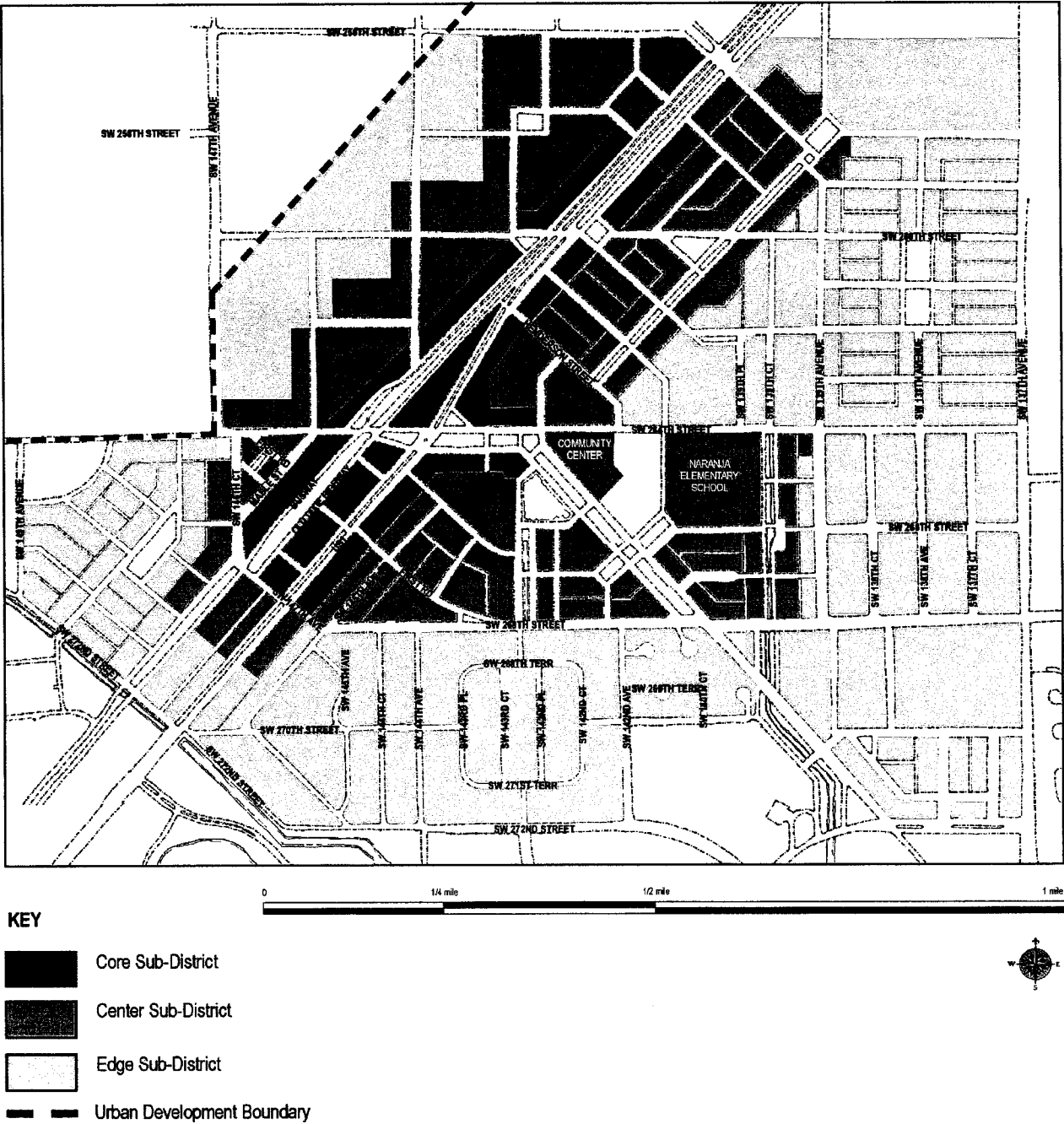


KEY

-  US Highway 1 / S.R. 5
-  South Miami-Dade Busway
-  Main Street
-  Boulevard
-  Minor Street
-  Service Roads
Core/Center Sub-district
-  Service Roads
Edge Sub-district: Optional for single family detached only
-  Urban Development Boundary

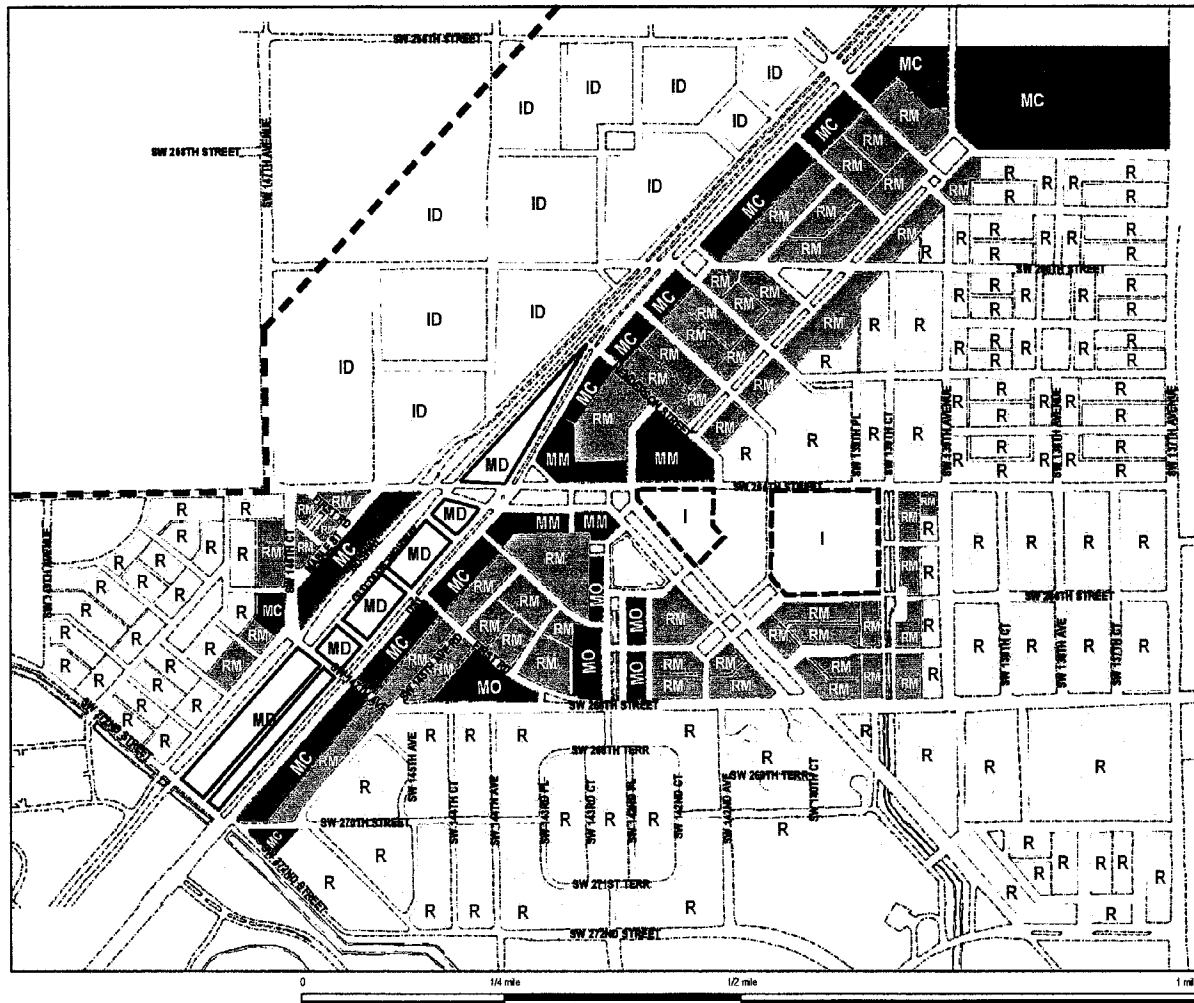


B. Sub-districts Plan



C. Land Use Plan

See Section 33-284.68 on this Code for specific permitted uses in each land use area.



KEY

- MM: Mixed-use (Main Street):** 1st floor - businesses, professional offices, civic, education and government offices; 2nd floor and above - residential; and live-work units (Min. 12 units/acre net, Max. 52 units/acre net or a Max. 60 units/acre net with purchase of SUR* at the rate of 2 residential credits/SUR*)
- MC: Mixed-use Corridor:** Residential, businesses, professional offices, civic, education and government offices (Min. 12 units/acre net, Max. 52 units/acre net or a Max. 60 units/acre net with purchase of SUR* at the rate of 2 residential credits/SUR*)
- MO: Mixed-use Optional:** 1st floor (optional) - businesses, live-work, professional offices, civic, education and government offices; all floors - residential (Min. 12 units/acre net, Max. 52 units/acre net or a Max. 60 units/acre net with purchase of SUR* at the rate of 2 residential credits/SUR*)

- RM: Residential Modified:** Duplex, row-house, and small apartments (Min. 12 units/acre net, Max. 36 units/acre net)
- R: Residential:** Single family detached, duplex and rowhouse dwellings (Min. 8 units/acre net, Max. 18 units/acre net)
- MD: Market District:** all floors - outdoor produce markets are permitted. In addition, all uses permitted in the Mixed-use Corridor (MC).
- ID: Industrial District:** In all floors and all Sub-districts - IUC uses and live-work units. In addition, for properties facing US1 in the Core and Center Sub-districts, all uses permitted in the Mixed-use Corridor (MC); in the Center Sub-district, all uses and density permitted in the Residential Modified (RM); and in the Edge Sub-district, all uses and density permitted in the Residential (R) are allowed as per Sec. 33-284.68 (A)(2).

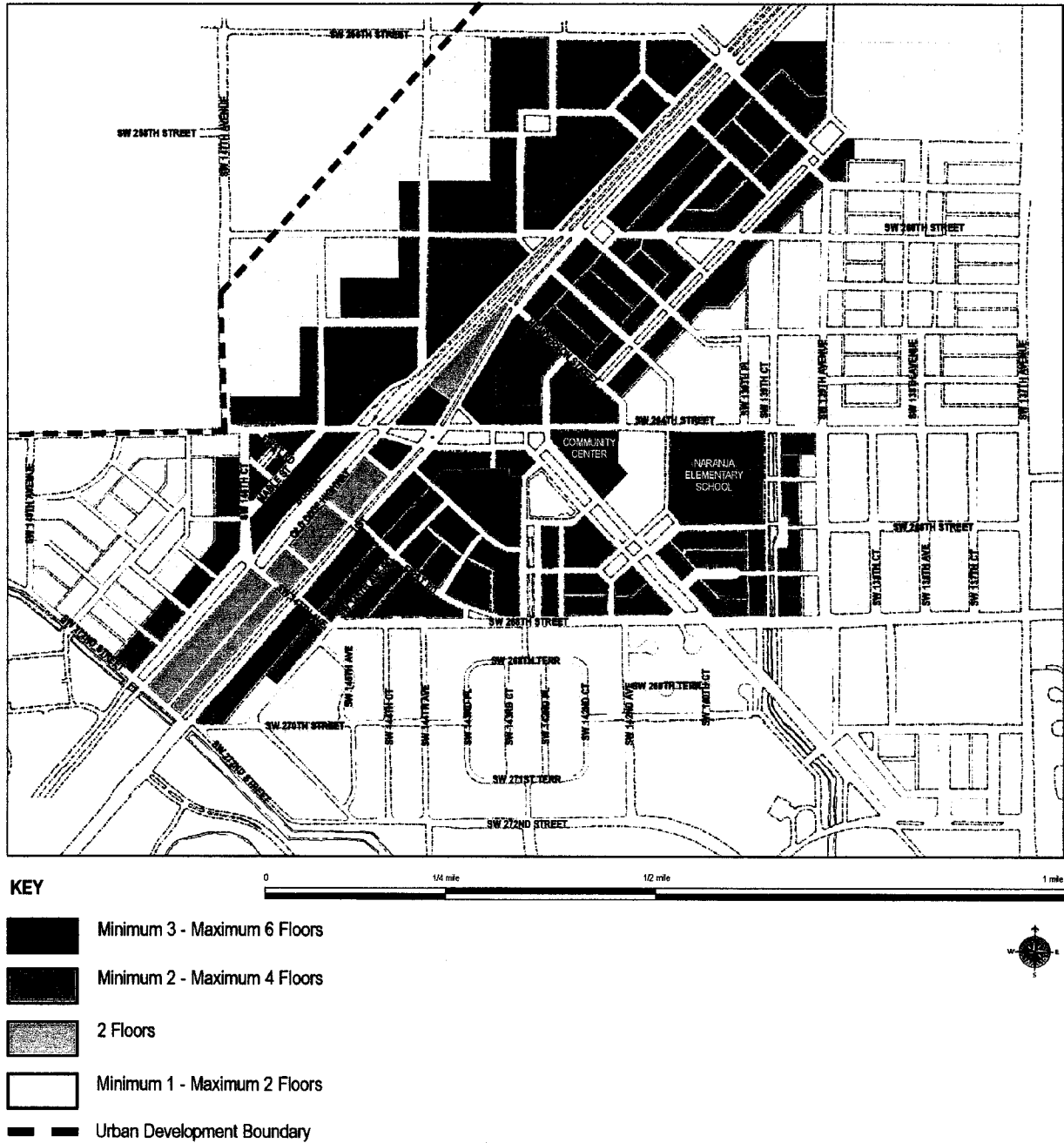
Urban Development Boundary

* SUR: Severable Use Right as provided for in Sections 33B-41 to 33B-47 of this Code.

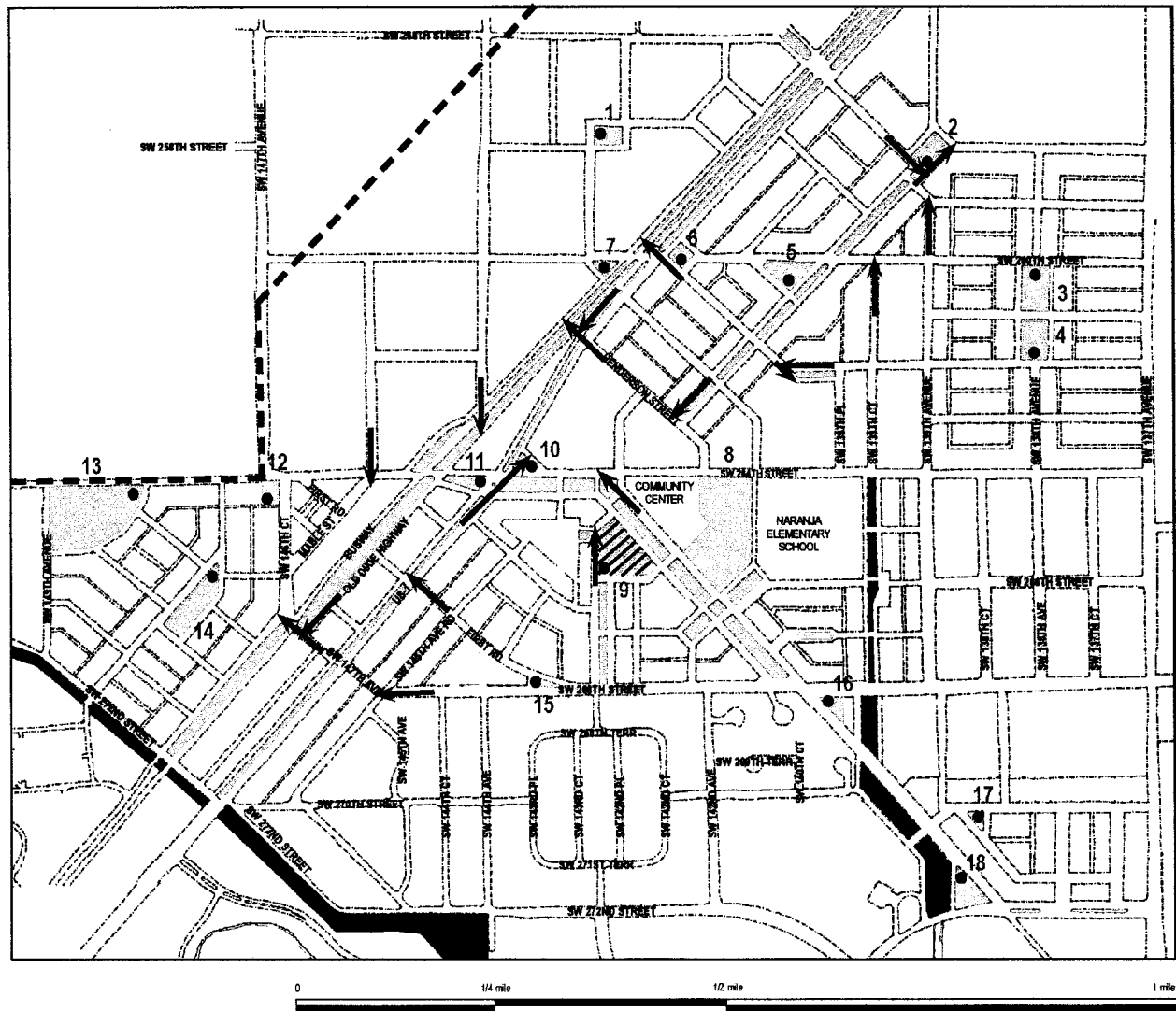
- I: Institutional:** Civic, education and government offices. Community center is designated to be publicly developed. If community center is privately developed then the Mixed-use (Main Street) criteria shall apply.



D. Building Heights Plan



E. Designated Open Space Plan



KEY

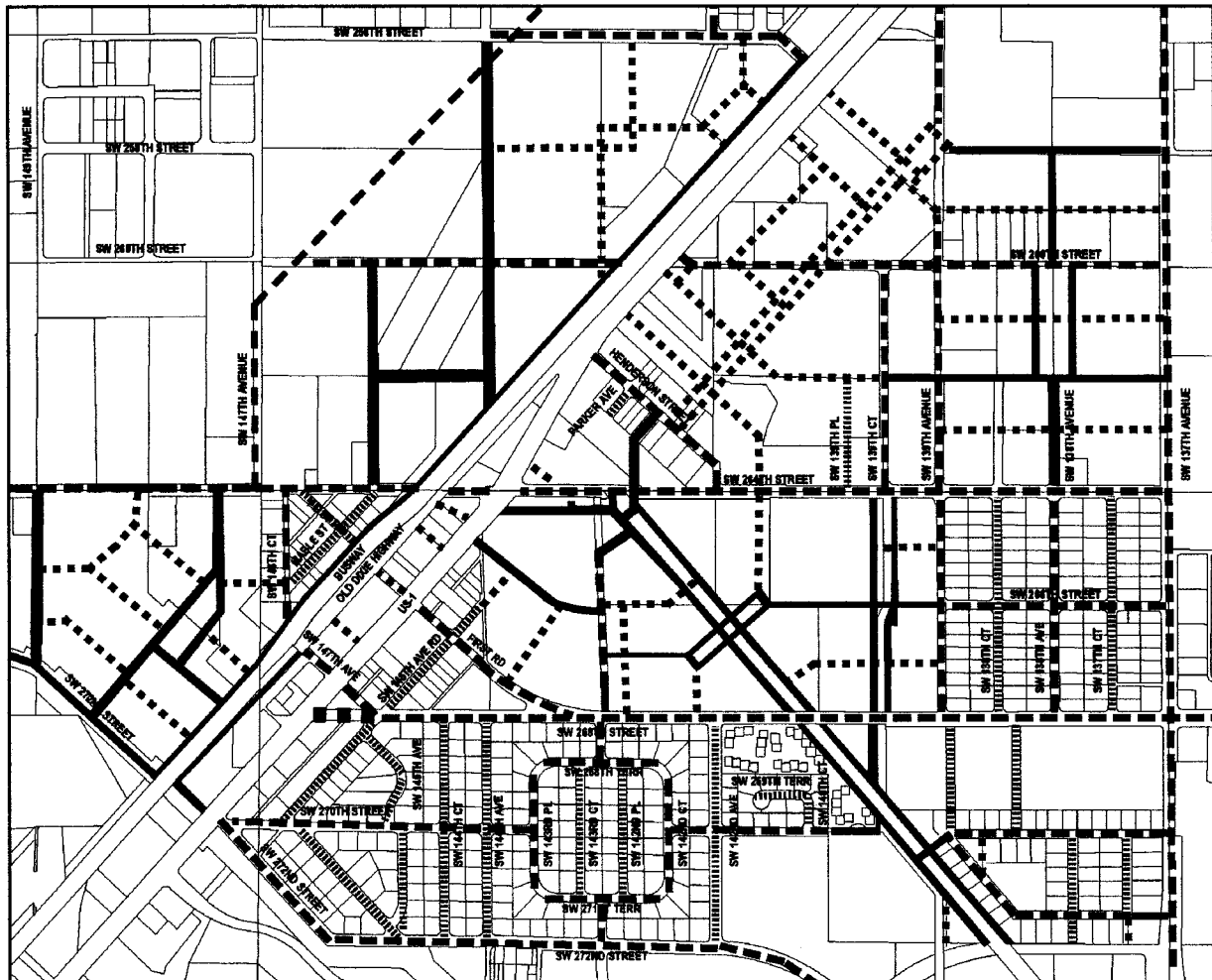
- Open Space: G: Green; S: Square; P: Plaza
- Natural Forest Community (NFC): Designated open space number 9 contains a designated NFC and shall comply with Chapter 24 of the County Code.
- Existing Water Bodies
- Street Vista
- Anchor Point
- Urban Development Boundary

No	Type	Area
1.	S	15,000 sqft
2.	S	17,000 sqft
3.	G	32,200 sqft
4.	G	28,000 sqft
5.	G	25,000 sqft
6.	P	10,000 sqft
7.	P	5,000 sqft
8.	G	Existing
9.	G	50,200 sqft
10.	P	5,400 sqft
11.	P	7,000 sqft
12.	G	9,600 sqft
13.	G	120,500 sqft
14.	G	35,000 sqft
15.	G	2,600 sqft
16.	G	7,000 sqft
17.	G	4,000 sqft
18.	G	18,000 sqft

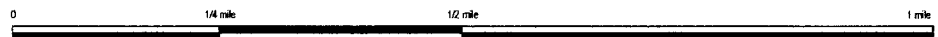
The open space, where an anchor point is shown, shall provide the general square footage shown in this Designated Open Space Plan.

The open space, where an anchor point is not shown, shall be developed according to the Street Type Development Parameters.

F. New Streets Plan



Note: New streets allocated are based on the charrette illustrative plan and are approximate.

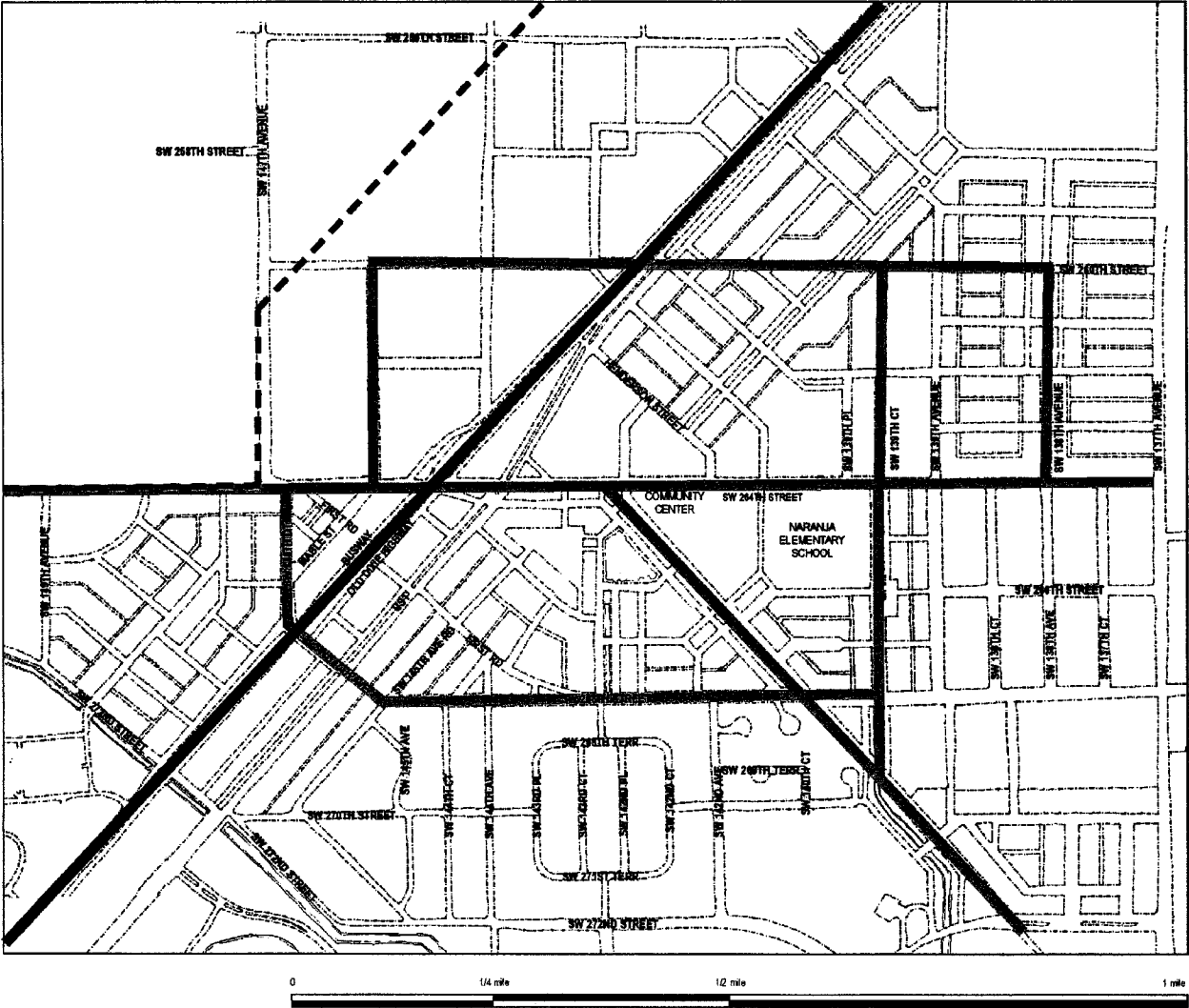


KEY

- New "A" Streets
- Existing "A" Streets
- New "B" Streets
- Existing "B" Streets
- Streets to be Removed
- Urban Development Boundary
- Property Ownership Pattern at time of charrette



G. Bike Route Plan



- KEY**
- South Dade Trail (Park and Recreation Greenway Plan)
 - Signage designating the above shown streets/corridors as bike routes shall be provided where appropriate
 - Urban Development Boundary

Sec. 33-284.70. Building Placement and Street Type Development Parameters

- A. All new development and redevelopment within the NCUC shall comply with the Building Placement and Design Parameters as provided in Section 33-284.85 of this code.
- B. All new development and redevelopment within the NCUC shall comply with the Street Type Development Parameters as provided herein:

<u>Street type</u>	<u>Minimum Required Configuration</u>
	<u>Core/Center/Edge</u>
<u>U.S. 1</u>	<u>As provided in this section</u>
<u>Main Street</u>	<u>As provided in this section</u>
<u>Boulevard</u>	<u>As provided in section 33-284.85</u>
<u>Minor Street</u>	<u>As provided in section 33-284.85</u>
<u>Service Road</u>	<u>As provided in section 33-284.85</u>
<u>Pedestrian Passage</u>	<u>As provided in section 33-284.85</u>

- C. Unless otherwise provided by the Building Placement and Design Parameters in section 33-284.85 of this code, the following front and side street setbacks shall be required within the NCUC:

<u>Street type</u>	<u>Required Setback</u>					
	<u>Core</u>		<u>Center</u>		<u>Edge</u>	
	<u>Front</u>	<u>Side</u>	<u>Front</u>	<u>Side</u>	<u>Front</u>	<u>Side</u>
<u>U.S. 1</u>	<u>0' *</u>	<u>0'</u>	<u>10'</u> ***	<u>0' or 6'</u>	<u>10' or 15'</u> ***	<u>0' or 6'</u>
<u>Main Street</u>	<u>0' *</u>	<u>0'</u>	<u>10'</u> ***	<u>0' or 6'</u>	<u>10' or 15'</u> ***	<u>**</u>
<u>Boulevard</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>
<u>Minor Street</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>
<u>Service Road</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>
<u>Pedestrian Passage</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>	<u>**</u>
<u>Note: * colonnades required</u> <u>** as provided in Section 33-284.85 of this code</u> <u>*** if a colonnade is provided the front setback shall be 0'</u>						

U.S. HIGHWAY 1/S.R. 5

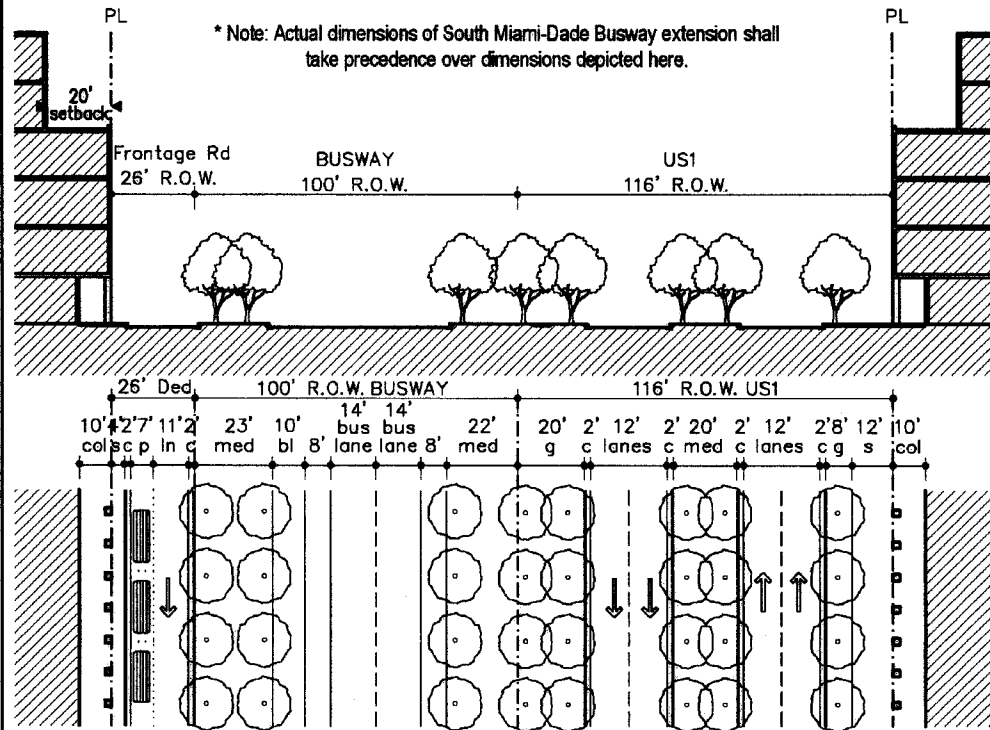
CORE

STREET SECTION

Key:

s: sidewalk
g: green
c: curb and gutter
ln: lane
med: median
p: parking
bl: bike lane
col: colonnade
PL: property line
Min: Minimum
Max: Maximum
Req: Required
Ded: Dedication

--- Property Line



LANDSCAPE/ OPEN SPACE

Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in an 8' min. continuous landscape strip. Permanent irrigation is required.

PARKING

On-street parking shall count towards the minimum required parking.

OTHER ELEMENTS

A colonnade shall be required on both sides of U.S. 1, in the Core Sub-district, when the build-to line is 0' and shall occupy the full length of the building frontage
The above section is typical for all busway and US-1 frontages
For all development along Old Dixie Highway the right-of-way, building placement, and frontage requirements shall be the same as for the development adjacent to the busway.
* Note is inserted to depict rounded off dimensions of the Busway. It will not change required dedication.

15

U.S. HIGHWAY 1/S.R. 5	
CENTER	
STREET SECTION	<p>Key: s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication</p> <p>--- Property Line</p> <p>* Note: Actual dimensions of South Miami-Dade Busway extension shall take precedence over dimensions depicted here.</p>
LANDSCAPE/ OPEN SPACE	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in an 8' min. continuous landscape strip. Permanent irrigation is required.</p>
PARKING	<p>On-street parking shall count towards the minimum required parking.</p>
OTHER ELEMENTS	<p>The front setback shall be hard surfaced and weather protection elements provided on the building facade when the build-to line is 10' from the front property line Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements The above section is typical for all busway and US-1 frontages. * Note is inserted to depict rounded off dimensions of the Busway. It will not change required dedication.</p>

U.S. HIGHWAY 1/S.R. 5

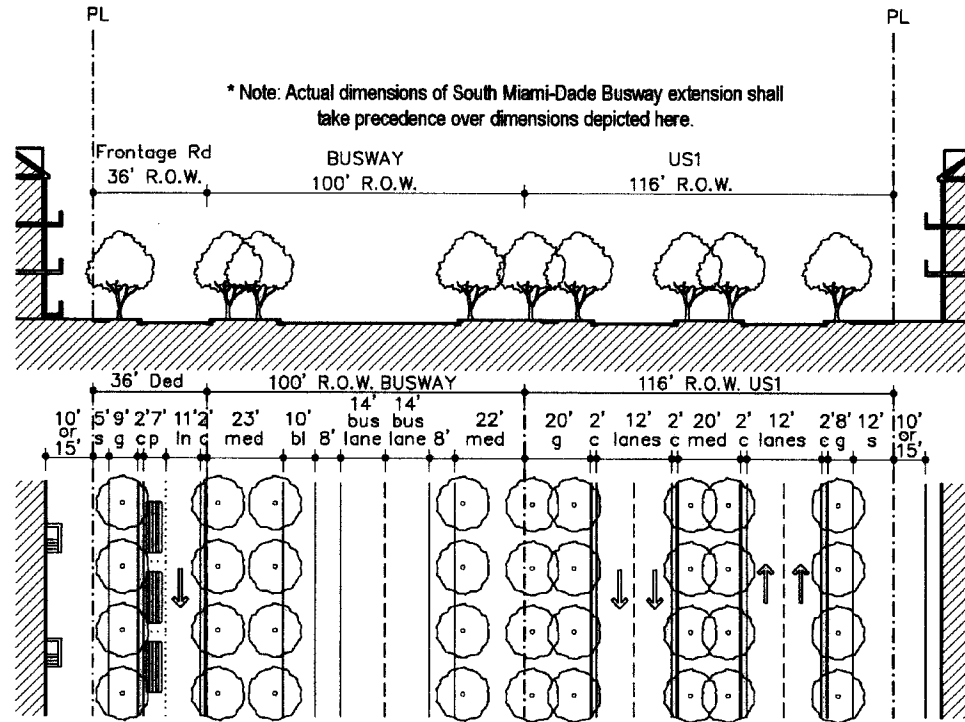
EDGE

STREET SECTION

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LANDSCAPE/ OPEN SPACE

Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in an 8' min. continuous landscape strip. Permanent irrigation is required.

PARKING

On-street parking shall count towards the minimum required parking.

OTHER ELEMENTS

The front setback of buildings along US1 shall be hard surfaced and weather protection elements provided on the building facade when the build-to line is 10' from the front property line.
When the build to line is 15' from the front property line, the remainder 5' shall be landscaped
The front setback of buildings along the busway shall be landscaped
Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements
The above section is typical for all busway and US-1 frontages.
* Note is inserted to depict rounded off dimensions of the Busway. It will not change required dedication.

MAIN STREET (SW 264th Street East of US1)

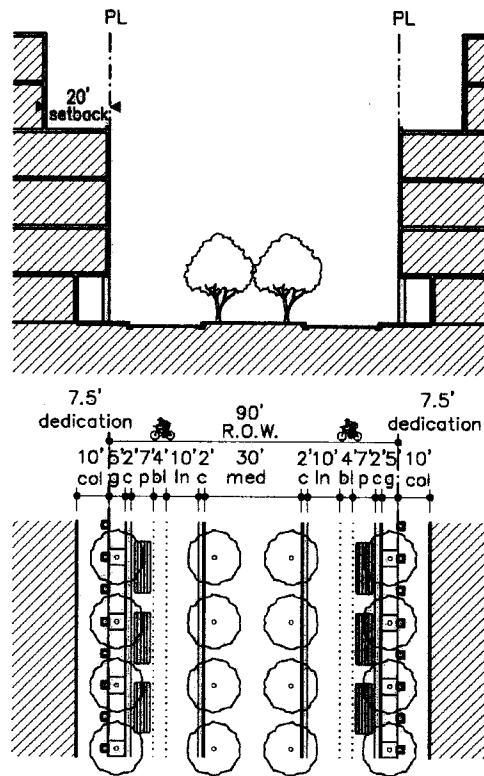
CORE

STREET SECTION

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--- Property Line



LANDSCAPE/ OPEN SPACE

Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Permanent irrigation is required. Street trees along the sidewalk only are optional and if provided, shall be planted in 5'x5' tree grates.

PARKING

On-street parking shall count towards the minimum required parking.

OTHER ELEMENTS

A colonnade shall be required on both sides of the Main Street when build-to line is 0' and shall occupy the full length of the building frontage.
Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.
On all Main Street intersections, the median shall have a mountable curb.

MAIN STREET (SW 264th Street East of US1)

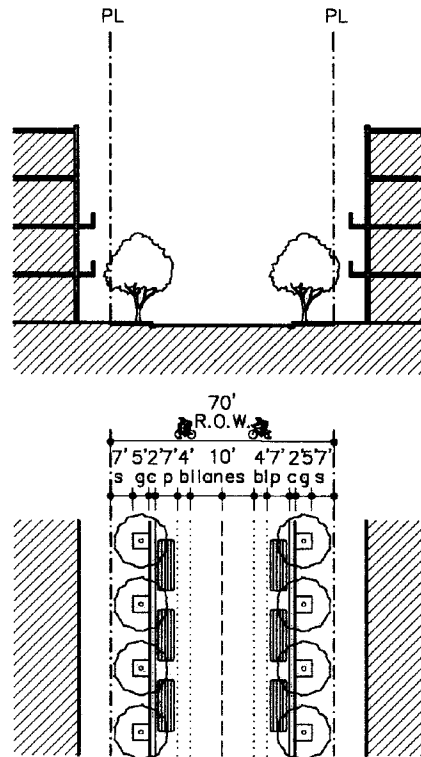
CENTER

STREET SECTION

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LANDSCAPE/ OPEN SPACE

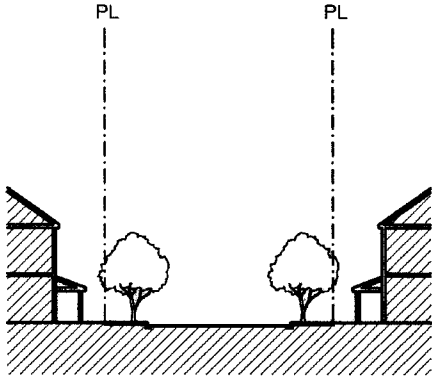
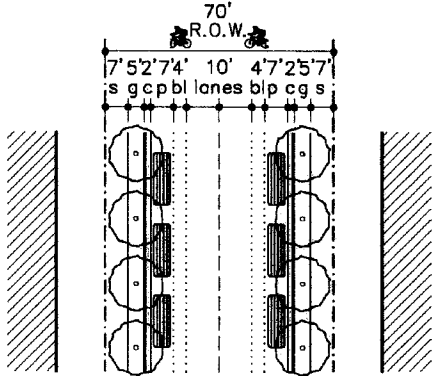
Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required.

PARKING

On-street parking shall count towards the minimum required parking.

OTHER ELEMENTS

The front setback shall be hard surfaced and weather protection elements provided on the building facade when the build-to line is 10' from the front property line.
Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

MAIN STREET (SW 264th Street East of US1)	
EDGE	
<div>STREET SECTION</div> <div><div>Key:</div><div>s: sidewalk</div><div>g: green</div><div>c: curb and gutter</div><div>ln: lane</div><div>med: median</div><div>p: parking</div><div>bl: bike lane</div><div>col: colonnade</div><div>PL: property line</div><div>Min: Minimum</div><div>Max: Maximum</div><div>Req: Required</div><div>Ded: Dedication</div><div><div>--- Property Line</div></div></div>	<div><div><div><div>PL</div><div>PL</div></div><div></div></div><div><div><div>70'</div><div>R.O.W.</div><div><div>7'5'2'74'</div><div>10'</div><div>4'7'25'7'</div></div><div><div>s</div><div>g</div><div>c</div><div>p</div><div>bl</div><div>lnes</div><div>blp</div><div>c</div><div>g</div><div>s</div></div><div></div></div></div></div>
LANDSCAPE/ OPEN SPACE	Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in a 5' minimum continuous landscape strip. Permanent irrigation is required.
PARKING	On-street parking shall count towards the minimum required parking.
OTHER ELEMENTS	The front setback shall be landscaped. Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

Sec. 33-284.71. General Requirements.

In addition to the general requirements provided in Section 33-284.86 of this code, all developments within the NCUC shall comply with the following:

A. Buildings.

1. A cornice line is required on all building facades on U.S. 1 and the Main Street frontages as follows: at the top of the first story of buildings in the Mixed-Use Main Street (MM) area and the top of the second story of buildings in the Mixed-Use Corridor (MC) area.
2. Colonnades are required along all building frontages facing U.S. 1 and Main Street in the Core sub-district.<<

Section 2. Sec. 33-284.76 of the Code of Miami-Dade County, Florida, is hereby renumbered and amended as follows:

Sec. 33-284.72. Non-conforming Structures, Uses, and Occupancies.

Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, and occupancy in the NCUC District that either (1) was existing as of the date of the district boundary change on the property to NCUC District or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use or occupancy in the NCUC District that is discontinued for a period of at least six months, or is superseded by a lawful structure, use or occupancy permitted under this chapter, or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall be subject to section 33-35(c) of this code. >>However, a lawfully existing single-family home use that is discontinued for a period of at least six months or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall not be subject to section 33-35(c) of this code.<<

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of this Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of Miami-Dade County, Florida. The section of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Joni Armstrong Coffey